



Caleb Moore <cmoore@thedfwlawfirm.com>

Frazier Auditor-What is the status on getting info to auditor?

8 messages

Caleb Moore <cmoore@thedfwlawfirm.com>

Tue, Nov 13, 2018 at 11:20 AM

To: Nate Richards <nate@jmichaelferguson.com>, "MIKE@JMICHAELFERGUSON.COM" <mike@jmichaelferguson.com>

Can you confirm we agree on sending it and I can get it done.

Kind Regards,

Caleb Moore



Law Firm of Caleb Moore, PLLC

2205 Martin Drive, Ste 200

Bedford, TX 76021

Telephone: (817) 953-2420

Facsimile: (817) 581-2540

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J. Michael Ferguson <mike@fnalegal.com>

Tue, Nov 13, 2018 at 11:21 AM

To: Caleb Moore <cmoore@thedfwlawfirm.com>, Nate Richards <nate@fnalegal.com>

I will send it today and copy you on it.

J. Michael Ferguson

NMLS No. 314217

Ferguson & Associates, LLC

Attorney at Law

62 Main Street, Suite 310

Colleyville, Texas 76034

(817)267-1008 Office Phone

(817)919-8799 Cell Phone

(817)485-1117 Fax

Email: mike@jmichaelferguson.com

THIS FIRM IS A DEBT COLLECTOR AND IS ATTEMPTING TO COLLECT A DEBT. ANY INFORMATION OBTAINED BY IT WILL BE USED FOR THAT PURPOSE.

CONFIDENTIALITY NOTICE

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KR Depo Exhibit 3

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[Quoted text hidden]

Caleb Moore <cmoore@thedfwlawfirm.com>
 To: "J. Michael Ferguson" <mike@fnalegal.com>
 Cc: Nate Richards <nate@fnalegal.com>

Tue, Nov 13, 2018 at 11:30 AM

Thank you.

Kind Regards,

Caleb Moore



Law Firm of Caleb Moore, PLLC

2205 Martin Drive, Ste 200

Bedford, TX 76021

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J. Michael Ferguson <mike@fnalegal.com>
 To: Caleb Moore <cmoore@thedfwlawfirm.com>, Kent Ray <kar@milbern-ray.com>
 Cc: Nate Richards <nate@fnalegal.com>


Tue, Nov 13, 2018 at 8:00 PM

Mr. Ray,


Mr. Moore forwarded this email to us. I thought I would answer the questions below as I understand them.

 Copy of the court order for the requested audit report

[See the 2018-10-19 Agreed Order Appointing Auditor](#)

 Balance Sheets and Income Statements for each of the years under the court order and a current year Balance Sheet

[See the 2014 thru 2017 tax Returns- Anson Financial, Inc. purchased the interest of Jentex Financial, Inc. in 9/2014.](#)

 A brief description of the business activity/ purpose of the joint venture and how the accounting was done for the entity

This is a simple company that:

1. Sold lots to individuals for cash and/or sold the lots and carried back an owner financed note
2. Serviced the notes that were not sold for cash and account for the principal and Interest collected
3. Installed/Repaired Septic Systems, electrical on lots that sold, mowed, cleaned etc. and expenses have to be tracked

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4. Anson Financial, Inc. has charged a 1% annual fee to service the loans (Previous Months Ending Balance x 1% / 12 = Current Months Loan Servicing Fee). ***This is in dispute by the parties.
5. Repairs to the road have been made and there is a 20 year ongoing dispute as to who should be responsible for taking care of the road. Expenses for road repairs have to be tracked and this is a dispute between the parties.
6. All land has sold except for approx. 18 acres in Wise County.
7. All Tracts that were sold will have closing documents, copies of checks received, copies of checks disbursed, HUD1, closing documents, etc.
8. All payments received were copied though 9/2017 and can be verified. All Auto ACH's taken as payments can be verified.
9. No Bank account is kept for Alvord 287 specifically. Anson Financial, Inc. services the loans and just accounts for the funds due Alvord 287 as a payable. Anson Financial, Inc. manages/managed the sale of all the lots since 2014 including paying all expenses. It then accounted for the receipts and expenses. Finally, it then disburses the funds directly to the owners for their proportionate share. *This is in dispute by the owners

At the end of the day, we just need someone to account for all the funds for the lots sold, all payments received, make sure Anson has documented all expenses paid regardless if in dispute like the servicing fees and make sure all loan balances are correct. Loan balances can be verified by the accounting method, pay histories and we can mail out notices to each borrower and have them confirm the balances and/or have someone knock the door to verify the balances. All the lots are located on 1 of 2 streets in a small 100 acre subdivision.

Anson Financial, Inc. will be responsible for paying for the audit.

Both parties would like to have an estimate of the cost of the audit before we continue forward.

 Some type of format/ procedure if we do take the assignment how we would obtain the documents requested

We have documents with sensitive data, i.e. pay histories, borrowers accounts, closing statements with identifying information. I would like to use Dropbox to share all the files. Also Mr. Moore has requested that we bates stamp each document used and therefore, I would like to do that and then keep a Document Register with the corresponding bates number(s) so that all parties will know exactly which documents have been produced.





As of 9/30/2018, there are 36 loans remaining with a Balance of \$902,569.84 with a Basis of \$282,907.50. (See the attached Sheet showing the balances as of 9/30/2018)

If you have any questions, please feel free to contact me.

Thank you,

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9 attachments

-  **2014 K1-Alvord 287 JV.pdf**
175K
-  **2014 Tax Alvord 287 JV.pdf**
509K
-  **2015 K1-Alvord 287 JV.pdf**
22K
-  **2015 Tax Alvord 287 JV.pdf**
507K
-  **2016 K1-Alvord 287.pdf**
151K
-  **2016 Tax Alvord 287.pdf**
507K
-  **2017 K1-Alvord 287.pdf**
150K
-  **2017 Tax Alvord 287.pdf**
474K
-  **2018-10-19 Agreed Order Appointing Auditor.pdf**
55K

Kent Ray <kar@milbern-ray.com>
To: "J. Michael Ferguson" <mike@fnalegal.com>, Caleb Moore <cmoore@thedfwlawfirm.com>
Cc: Nate Richards <nate@fnalegal.com>, Kyle Hendrick <kyle@milbern-ray.com>

Wed, Nov 14, 2018 at 7:26 AM

Michael thank you for sending the responses. Give me a couple of days and I will be back to you with a estimate of our fees if we are to move forward.

Kent Ray, C.P.A.

Milbern Ray & Company
4831 Merlot Ave., #320
Grapevine, TX 76051

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817-552-7661 - phone
817-552-1391 - fax

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From: J. Michael Ferguson <mike@fnalegal.com>
Sent: Tuesday, November 13, 2018 8:00 PM
To: Caleb Moore <cmoore@thedfwlawfirm.com>; Kent Ray <kar@milbern-ray.com>
Cc: Nate Richards <nate@fnalegal.com>
Subject: RE: Frazier Auditor-What is the status on getting info to audior?

Mimecast Attachment Protection has deemed this file to be safe, but always exercise caution when opening files.

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Kind Regards,

Caleb Moore

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Kent Ray <kar@milbern-ray.com>
To: "J. Michael Ferguson" <mike@fnalegal.com>, Caleb Moore <cmoore@thedfwlawfirm.com>
Cc: Nate Richards <nate@fnalegal.com>, Kyle Hendrick <kyle@milbern-ray.com>

Thu, Nov 15, 2018 at 4:29 PM

Mr Ferguson/ Mr Moore –

We have reviewed the attached documents and court order. I believe what both parties are looking for is what called Agreed Upon Procedures and not audited financials statements. I do not think the audited financial statements would give you what you are looking for but the Agreed Upon Procedures can be tailored to what is described as needed in your response below. Basically we would send you a engagement letter detailing the procedures we are going to preform to obtain the information requested and then produce a report signed off by us that would give you the results. Typically this is a less expensive route with giving all parties what they are requesting. If this is acceptable to all parties I can send you a sample of the procedures that we would perform for what I believe all parties are looking for and what the expected results should look like with a budget.

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Please let me know your thoughts. For information purposes I will be out of the office next week from Tuesday to the following Monday.

Kent Ray, C.P.A.

Milbern Ray & Company
4831 Merlot Ave., #320
Grapevine, TX 76051
817-552-7661 - phone
817-552-1391 - fax

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Mr. Ray,

[Quoted text hidden]

Kind Regards,
Caleb Moore

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Caleb Moore <cmoore@thedfwlawfirm.com>

Thu, Nov 15, 2018 at 4:47 PM

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KR Depo Exhibit 3

To: Kent Ray <kar@milbern-ray.com>

Cc: "J. Michael Ferguson" <mike@fnalegal.com>, Nate Richards <nate@fnalegal.com>, Kyle Hendrick <kyle@milbern-ray.com>

Please send it over. Thanks.

Kind Regards,

Caleb Moore



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J. Michael Ferguson <mike@fnalegal.com>

Fri, Nov 16, 2018 at 9:23 AM

To: Kent Ray <kar@milbern-ray.com>, Caleb Moore <cmoore@thedfwlawfirm.com>

Cc: Nate Richards <nate@fnalegal.com>, Kyle Hendrick <kyle@milbern-ray.com>

Kent,

Thank you for the information. Please forward when you have it ready.

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